



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
MBX 020

Applicant, Patentee, or Identifier: Lara Madison, Gjalte W. Huisman, and Oliver P. Peoples

Application or Patent No.: _____

Filed or Issued: January 22, 1999

Title: TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY (2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Metabolix, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 303 Third Street
Cambridge, Massachusetts 02142

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

- Each person, concern, or organization having any rights in the invention is listed below:
☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

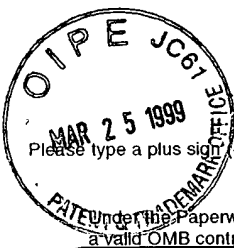
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Oliver P. Peoples

TITLE OF PERSON IF OTHER THAN OWNER Vice President, Research and Development

ADDRESS OF PERSON SIGNING 27 Radcliffe Road, Arlington, MA 02174

SIGNATURE Oliver P. Peoples DATE February 19, 1999



Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	MBX 020
	First Named Inventor	Lara Madison
	COMPLETE IF KNOWN	
	Application Number	09 / 235,875
	Filing Date	January 22, 1999
	Group Art Unit	1711
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY (2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)

the specification of which (Title of the Invention)

☐ is attached hereto
OR
☒ was filed on (MM/DD/YYYY) **January 22, 1999** as United States Application Number or PCT International Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/072,198	January 22, 1998	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar Code
Label here

Name	Registration Number	Name	Registration Number
Patrea L. Pabst	31,284		
Collen A. Beard	38,824		
Robert A. Hodges	41,074		
Kevin W. King	42,737		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number OR ☒ Correspondence address below

Name	Patrea L. Pabst				
Address	Arnall Golden & Gregory, LLP				
Address	2800 One Atlantic Center, 1201 West Peachtree Street				
City	Atlanta	State	GA	ZIP	30309-3450
Country	US	Telephone	(404)873-8794	Fax	(404)873-8795

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
Lara	Madison

Inventor's Signature	<i>Lara L. Madison</i>			Date	3/15/99
Residence: City	Bridgewater	State	MA	Country	US
Post Office Address	496 Plymouth Street				
Post Office Address					
City	Bridgewater	State	MA	ZIP	02324
Country	US				

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (3-97)
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DECLARATION	ADDITIONAL INVENTOR(S)
--------------------	-------------------------------

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Gjalt W.				Huisman			
Inventor's Signature						3/16/99	
Residence: City		San Carlos	State	CA	Country	US	Citizenship
Post Office Address		3370 Brittan Avenue, #18					
Post Office Address							
City		San Carlos	State	CA	ZIP	94070	Country
City		San Carlos	State	CA	ZIP	94070	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Oliver P.				Peoples			
Inventor's Signature						Date	
Residence: City		Arlington	State	MA	Country	US	Citizenship
Post Office Address		27 Radcliffe Road					
Post Office Address							
City		Arlington	State	MA	ZIP	02174	Country
City		Arlington	State	MA	ZIP	02174	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City			State		Country		Citizenship
Post Office Address							
Post Office Address							
City			State		ZIP		Country
City			State		ZIP		Country

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+

Please type a plus sign (+) inside this box → ☐

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
OMB 0651-0032

DECLARATION

ADDITIONAL INVENTOR(S)

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Gjalt W.		Huisman	
Inventor's Signature	Residence: City		Date
	San Carlos	State CA	US
Post Office Address		Country	Citizenship
3370 Brittan Avenue, #18			NL
Post Office Address			
City		State	ZIP
San Carlos		CA	94070
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Oliver P.		Peoples	
Inventor's Signature	Residence: City		Date
	Arlington		3/15/99
Post Office Address		State	Country
27 Radcliffe Road		MA	US
Post Office Address		Country	Citizenship
			US
City		State	ZIP
Arlington		MA	02174
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature	Residence: City		Date
Post Office Address		State	Country
Post Office Address		Country	Citizenship
City		State	ZIP

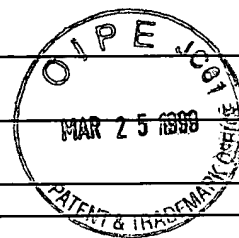
Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Applicants: Lara Madison, Gjalte W. Huisman, and Oliver P. Peoples

Application No.: _____

Filed: January 22, 1999

For: TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)



Metabolix, Inc.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

RECEIVED

APR 19 1999
GR01D 4700

☐ Additional documents in the chain of title are listed on a supplement sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and believe are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : February 19, 1999

Name : Oliver P. Peoples

Title : Vice President, Research and Development

Signature : Oliver P. Peoples

ASSIGNMENT

We, Lara Madison of 38A St. Paul Street, Apt. #2, Brookline, Massachusetts 02142, Gjalt W. Huisman of 52 Salem Street, Apt. #1F, Boston, Massachusetts 02113, and Oliver P. Peoples of 27 Radcliffe Road, Arlington, Massachusetts 02174, in consideration of Ten Dollars and other valuable consideration paid to us by Metabolix, Inc., a corporation of the Commonwealth of Massachusetts and having its principal place of business at 303 Third Street, Cambridge, Massachusetts 02142, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Metabolix, Inc., its successors and assigns, the entire interest for the United States of America and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in "TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)" described in U.S. Application Serial No. 09/235,875 filed January 22, 1999, by Lara Madison, Gjalt W. Huisman, and Oliver P. Peoples, which claims priority to U.S. provisional patent application Serial No. 60/072,198 filed January 22, 1998, in the United States Patent and Trademark Office, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuation, continuation-in-part, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

"TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)"
By: Lara Madison, Gjalb W. Huisman, and Oliver P. Peoples
Filed: January 22, 1999
ASSIGNMENT

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 17 day of February,
1999.

Lara Madison

Lara Madison

Commonwealth of Massachusetts)
County of Middlesex) ss.

Then personally appeared the above named Lara Madison and acknowledged the foregoing instrument to be her free act and deed, before me, this 17 day of February, 1999.

Jean M. Mahoney
Notary Public

My commission expires JEAN M. MAHONEY
Notary Public
My Commission Expires July 8, 2005

"TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)"
By: Lara Madison, Gjalt W. Huisman, and Oliver P. Peoples
Filed: January 22, 1999
ASSIGNMENT



WITNESS my hand and seal this 19th day of February,
1999.

Gjalt W. Huisman

Commonwealth of Massachusetts)
County of _____) ss.

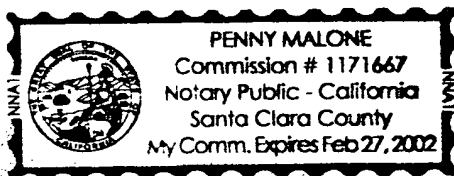
Then personally appeared the above named Gjalt W. Huisman and
acknowledged the foregoing instrument to be his free act and deed, before me, this
_____ day of _____, 1999.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California }
County of Santa Clara }
On February 19, 1999 before me, Penny Malone, Notary Public,
DATE NAME/TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
personally appeared Gjalt W. Huisman,
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence
to be the person(s) whose name(s) is/are
subscribed to the within instrument and ac-
knowledged to me that he/she/they executed
the same in his/her/their authorized
capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s),
or the entity upon behalf of which the
person(s) acted, executed the instrument.



WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to
fill in the data below, doing so may prove
invaluable to persons relying on the document.

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER(S)
TITLE(S) _____
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

THIS CERTIFICATE MUST BE ATTACHED TO
THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law,
it could prevent fraudulent reattachment of this form.

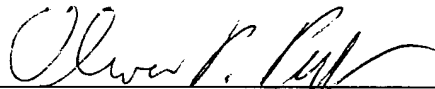
TITLE OR TYPE OF DOCUMENT _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

"TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF
POLY(2-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)"
By: Lara Madison, Gjalb W. Huisman, and Oliver P. Peoples
Filed: January 22, 1999
ASSIGNMENT

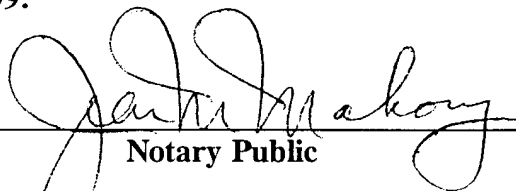
WITNESS my hand and seal this 17th day of FEBRUARY,
1999.



Oliver P. Peoples

Commonwealth of Massachusetts)
County of Middlesex) ss.

Then personally appeared the above named Oliver P. Peoples and acknowledged
the foregoing instrument to be his free act and deed, before me, this 17 day of
February, 1999.



Notary Public

JEAN M. MAHONEY

Notary Public

My commission expires My Commission Expires July 8, 2005